

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal No. 05-31 (MJD/JGL)

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	PRELIMINARY
	)	ORDER OF FORFEITURE
	)	
TIMOTHY ALLAN OSELL,	)	
	)	
Defendant.	)	

Based on the United States' motion for a Preliminary Order of Forfeiture; on the Plea Agreement entered into between the United States and Defendant Timothy Allan Osell; on the Court having found beyond a reasonable doubt that all the defendant's right, title and interest in and to one Gateway performance 733 Computer, SN 0019565582, any visual depictions described in section 2251, 2251A, 2252 and 2252A of chapter 110, and any other matter which contains any such visual depictions are subject to forfeiture pursuant to 18 U.S.C. § 2253(a); and on the Court's determination that, based on the Plea Agreement entered into by the defendant and based on all of the files and records of this proceeding, the government has established the requisite nexus between the Gateway performance 733 Computer, SN 0019565582, the visual depictions and any matter containing such visual depictions, and the offense to which the defendant has pled guilty,

IT IS HEREBY ORDERED that:

1. the Gateway performance 733 Computer, SN 0019565582, and the

visual depictions and any matter containing such visual depictions seized from Defendant Timothy Allan Osell, are forfeited to the United States pursuant to 18 U.S.C. § 2253(a);

2. the Attorney General or his authorized designee may seize the Gateway performance 733 Computer, SN 0019565582, and the visual depictions and any matter containing such visual depictions, and maintain custody and control of them pending the entry of a Final Order of Forfeiture;

3. the United States shall, pursuant to 18 U.S.C. § 2253(m)(1), publish and give notice of this Order and its intent to dispose of the Gateway performance 733 Computer, SN 0019565582, the visual depictions and any matter containing such visual depictions, in such manner as the Attorney General may direct;

4. pursuant to Fed.R.Crim.P. 32.2(b)(3), this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing and shall be made a part of the sentence and included in the judgment;

5. following the Court's disposition of all petitions filed pursuant to 18 U.S.C. § 2253(m)(2) or, if no petitions are filed, following the expiration of the time period specified by law within which to file such petitions, the United States shall have clear title to the Gateway performance 733 Computer, SN 0019565582, and the visual depictions and any matter containing such visual depictions

seized from Defendant Timothy Allan Osell, and may warrant good title to any subsequent purchaser or transferee; and

6. the Court shall retain jurisdiction to enforce this Order and to amend it as necessary pursuant to Fed.R.Crim.P. 32.2(e).

Dated: July 5, 2005

s/ Michael J. Davis  
MICHAEL J. DAVIS, Judge  
United States District Court